

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN**

CHERYL DRUGICH, et al.,

Plaintiffs,

Case No. 23-cv-12520

Hon. Matthew F. Leitman

v.

McLAREN HEALTH CARE
CORPORATION,

Defendant.

/

STIPULATED ORDER TO STAY PENDING MEDIATION

Plaintiffs, individually and on behalf of all those similarly situated (collectively, “Plaintiffs”), and Defendant McLaren Health Care Corporation (“McLaren,” together with Plaintiffs, the “Parties”) state as follows:

WHEREAS, on April 2, 2024, this Court granted the Motion to Consolidate and for Appointment of The Miller Law Firm, P.C., Milberg Coleman Bryson Phillips Grossman PLLC, and Shub & Johns, LLC as Interim Lead Co-Counsel, set a schedule for certain filings and ordered that all related cases be consolidated under the present case number and caption. ECF No. 17;

WHEREAS, on May 1, 2024, Plaintiffs, individually and on behalf of the Class, filed the Master Consolidated Class Action Complaint. ECF No. 19;

WHEREAS, per the Court's April 2, 2024 Order, on May 22, 2024, McLaren sent a letter to Plaintiffs' Counsel identifying alleged deficiencies that it believes exists in the Master Consolidated Complaint;

WHEREAS, the Parties engaged in productive discussions regarding the possibility of submitting this matter to private mediation;

WHEREAS, the Court's April 2, 2024 Order set June 12, 2024 as the deadline for Plaintiffs to either file their First Amended Master Consolidated Complaint or otherwise stand on their Master Consolidated Complaint. ECF No. 19;

WHEREAS, on June 6, 2024, the Court entered a Stipulated Order extending the June 12, 2024 deadline (for Plaintiffs to either file their First Amended Master Consolidated Complaint or stand on their existing Complaint) for 30 days, or until July 12, 2024, and extended McLaren's deadline to respond to the operative complaint by a commensurate amount of time until August 2, 2024. ECF No. 22;

WHEREAS, the Parties have agreed to mediate this matter and have selected Jill R. Sperber, Esq. to serve as private mediator. The Parties have a confirmed mediation date of October 14, 2024, which was the earliest available date from Ms. Sperber that worked for the Parties;

WHEREAS, the Parties have set the mediation date at a time which will allow for certain informal discovery to take place, and which will allow the Parties to properly evaluate the case as a whole, including, but not limited to, the size of the

class and the strengths and weaknesses of each side's position;

WHEREAS, the Parties believe that judicial economy and the interests of the Parties would be served by a stay of this action to preserve the status quo while the Parties conduct their private mediation;

WHEREAS, no later than 14 days from the October 14, 2024 mediation, or by October 28, 2024, the Parties shall file a joint status report to update the Court on the outcome of the mediation;

WHEREAS, the Parties stipulate and agree that should the Parties fail to resolve this matter at the October 14, 2024 mediation, Plaintiffs shall have 30 days following the filing of the Parties' post-mediation joint status report to file Plaintiffs' Amended Master Consolidated Complaint (or for Plaintiffs to otherwise stand on their Master Consolidated Complaint), and the deadline for McLaren to respond to the current or any amended complaint will be extended to 30 days thereafter.

Accordingly, it is **ORDERED** that:

1. This action is stayed for all purposes so that the Parties may attempt to resolve this action through private mediation.

2. Plaintiffs' deadline to file Plaintiffs' Amended Master Consolidated Complaint (or for Plaintiffs to otherwise stand on their Master Consolidated Complaint) and Defendant's deadline to answer, move, or otherwise respond to the

either the current or any amended complaint shall be held in abeyance during the stay.

3. No later than 14 days from the date of the Parties' October 14, 2024 mediation, or by October 28, 2024, the Parties shall file a joint status report to update the Court on the status of their settlement negotiations.

4. Should the Parties fail to resolve this matter at the October 14, 2024 mediation, Plaintiffs shall have 30 days following the filing of the Parties' post-mediation joint status report to file Plaintiffs' Amended Master Consolidated Complaint (or for Plaintiffs to otherwise stand on their Master Consolidated Complaint), and the deadline for McLaren to respond to the current or any amended complaint will be extended to 30 days thereafter.

IT IS SO ORDERED.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: June 20, 2024

Dated: June 19, 2024

/s/ E. Powell Miller

E. Powell Miller (P39487)
Emily E. Hughes (P68724)
THE MILLER LAW FIRM
950 W. University Drive, Suite 300
Rochester, MI 48307
T: (248) 841-2200
epm@millerlawpc.com
eeh@millerlawpc.com

Gary M. Klinger
**MILBERG COLEMAN BRYSON
PHILLIPS GROSSMAN PLLC**
227 W. Monroe Street, Suite 2100
Chicago, IL 60606
T: (866) 252-0878
gklinger@milberg.com

Benjamin F. Johns
Samantha E. Holbrook
SHUB & JOHNS LLC
Four Tower Bridge
200 Barr Harbor Drive, Suite 400
Conshohocken, PA 19428
T: (610) 477-8380
bjohns@shublawayers.com
sholbrook@shublawayers.com

Interim Co-Lead Counsel

Respectfully submitted,

/s/ Timothy J. Lowe w/consent

Timothy J. Lowe (P68669)
MCDONALD HOPKINS PLC
39533 Woodward Avenue, Suite 318
Bloomfield Hills, Michigan 48304
T: (248) 646-5070
tlowe@mcdonaldhopkins.com

Christopher G. Dean (0092883)
MCDONALD HOPKINS LLC
600 Superior Avenue, East, Suite 2100
Cleveland, Ohio 44114
T: (216) 348-5400
cdean@mcdonaldhopkins.com

Counsel for Defendant